

Staff Summary Report



Council Meeting Date: 5/31/2012

Agenda Item Number: 5C3

SUBJECT: Introduction and first public hearing to adopt an ordinance authorizing the transfer of a portion of the City of Tempe 8th Street right-of-way east of Rural Road to Salt River Project. The second public hearing is scheduled for June 14, 2012.

DOCUMENT NAME: 20120531pwko02 SRP (0113-03) ORDINANCE NO. 2012.24

COMMENTS: The City is a party to a Development and Disposition Agreement with 529 Tempe, LLC, in which the City agreed to sell the property located at 903 S. Rural Rd. Per the agreement, the City will transfer ownership of 12'-6" of the existing 8th St right-of-way east of Rural Road and south of University Drive to Salt River Project for use in the relocation of the existing McKinney-Kirkland Ditch, currently located between the 529 Tempe, LLC. property and the City property.

PREPARED BY: Ken Olmstead, Right of Way Management Coordinator (x2367)

REVIEWED BY: Andy Goh, Deputy Public Works Director/City Engineer (x8896)

LEGAL REVIEW BY: Cynthia McCoy, Assistant City Attorney (x8402)

DEPARTMENT REVIEW BY: Don Bessler, Public Works Director (x8205)

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Ordinance No. 2012.24

ADDITIONALINFO: Per Section 3.8.1 of the approved Development and Disposition Agreement, (C2011-72) the City will transfer ownership of 12'-6' of the existing 8th Street right-of-way to the United States Government via Salt River Project in exchange for ownership of the canal right-of-way where the existing canal pipe is located, currently owned by the United States Government. In exchange Salt River Project will grant a roadway license to the City for the existing roadway. The existing United States Government canal property will then be deeded to 529 Tempe, LLC. No property transfers will be completed until such time that the United States Government has reviewed the documents and approved the transaction. The described actions are being authorized now so the City can move forward expeditiously after the closing; however, the City will not take any actions or execute any documents until the Developer closes on the City Property, which is currently scheduled for September 2012.